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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,837	02/28/2002	Kundan Singh	AP34069-070050.1929	1750
21003	7590	03/20/2006	EXAMINER	
BAKER & BOTTS 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			TSEGAYE, SABA	
			ART UNIT	PAPER NUMBER
			2662	
DATE MAILED: 03/20/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/085,837	SINGH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Saba Tsegaye	2662	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-9,12-14,17 and 18 is/are rejected.
- 7) ☒ Claim(s) 5,10,11,15 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>04/25/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6, 9, 13, 14 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Knappe et al. (US 6,850,496 B1).

Regarding claim 1, Knappe discloses, in Figs. 13A and 13B, a conferencing server (MCU) for establishing multi-party call conference services in a data network telephony system, comprising:

a session initiation protocol (SIP) signaling interface (80, 88; column 6, lines 20-25, lines 63-65); and

a media conferencing module (142), the media conferencing module comprising:

a plurality of selectable media decoders (150, 84, 86);

a plurality of media stream queues (152, 90, 94) selectively coupled to said plurality of media decoders (150, 84, 86);

a jitter correction processor (152, 154, 90, 92, 94), the jitter correction processor compensating arrival time jitter in the data stored in the media stream queues (152, 90, 94; column 7, lines 6-19);

a mixer (158L, 158R, 160L, 160R, 102L,102R), the mixer receiving the jitter corrected data from each of the queues, generating an aggregate conferencing stream of all active participants, and generating individual participant conference streams for each active participant in the conference (column 9, lines 8-32; column 14, lines 32-42); and

a plurality of selectable media encoders (166, 168, 170), the selectable media encoders being selectively coupled to the individual participant conference streams (172, 174, 176) in accordance with a protocol supported by the respective participant (column 12, lines 15-21).

Regarding claim 2, Knappe discloses the conferencing server wherein the individual participant conference streams are formed by subtracting a corresponding active participant audio stream from the aggregate conferencing stream (column 12, lines 36-44).

Regarding claim 3, Knappe discloses the conferencing server wherein the media conferencing module determines at least one media CODEC protocol supported by each conference participant and wherein the selectable media decoders are configured in accordance with the media CODEC protocol (column 6, lines 54-62).

Regarding claims 6, 13 and 18, Knappe discloses the conferencing server wherein the jitter correction processor takes the form of a dynamic play-out delay algorithm (column 7, lines 6-19).

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Regarding claims 9 and 14, Knappe discloses a method of conferencing a plurality of conference participant audio streams comprising:

identifying at least one media CODEC protocol for each conference participant (decoders can use any suitable codec upon which the system and the respective encoding endpoint successfully agree);

decoding each audio stream in accordance with a corresponding identified CODEC protocol (column 6, line 54-column 7, line 5);

compensating each decoded audio stream for arrival time jitter (column 7, lines 6-19);

mixing each of the audio streams into an aggregate audio stream (column 9, lines 26-32; column 14, lines 32-42);

for each active participant, subtracting that participant's audio stream from the aggregate audio stream to generate a corresponding participant conference stream (column 12, lines 36-43);

encoding each participant conference stream in accordance with an identified CODEC protocol for the participant (see Fig. 13B; column 12, lines 45-55); and

delivering the encoded participant conference streams to the corresponding participants (column 12, lines 45-55).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 4, 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knappe et al.

Knappe discloses all the claim limitations as stated above. Knappe does not expressly disclose codec protocols are determined in accordance with SIP INVITE request messages received from conference participants. However, Knappe does disclose that packet is encapsulated with lower layer headers, such as an IP header appropriate for the encoder's link to packet network 32. Knappe, further, suggests that different networks may be used to reach different endpoints. The particular protocols used for singling and voice data packet encapsulation are a matter of design choice (column 13, lines 42-48). As known, for handling call or session setup and tear down in an IP network is the session initiation protocol (SIP). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use SIP INVITE request messages in the method of Knappe since the SIP protocol is sufficient to handle most calls setup, connect, and release related signaling.

5. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knappe et al. in view of Kwan (US 2005/0025073 A1).

Knappe discloses all the claim limitations as stated above, except for a SIP to H.323 and a SIP to PSTN protocol gateway interface operatively coupled to the media conferencing module.

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Kwan teaches, in Fig. 1, gateways 112 are coupled to MCU site. Each gateway 112 could be dedicated to, and support connections from, a specific type of client 102 or user 110 using whatever equipment and protocol ((e.g., PSTN, SIP, H.323, etc.), see [0030; 0036]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add a SIP to H.323 and a SIP to PSTN protocol gateway interface, such as suggested by Kwan, to the system of Knappe in order to provide voice conferencing system of several users from different geographic locations with different communications network simultaneously.

#### ***Allowable Subject Matter***

6. Claims 5, 10, 11, 15 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Christofferson et al. (US 7,006,616 B1) discloses teleconferencing bridge with edgepoint mixing.

Cannon (US 2004/0246949 A1) discloses Internet protocol transport of PSTN-to telephony services.

Gallant et al. (US 2004/0042607 A1) discloses a method and system for providing intelligent network control services in IP telephony.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (571) 272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on (571) 272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ST  
March 14, 2006

  
JOHN PEZZLO  
PRIMARY EXAMINER